

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	x
In re:	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i>,	:
Debtors.	:
	x
LEHMAN BROTHERS SPECIAL FINANCING INC.,	:
Plaintiff,	:
-against-	:
BANK OF AMERICA NATIONAL ASSOCIATION, et al.,	:
Defendants.	:
	x

**ORDER TO SHOW CAUSE TO EXTEND THE TIME TO ANSWER THE
DISTRIBUTED ACTION COMPLAINT AND GRANTING CERTAIN RELIEF
PURUSANT TO SECTION 105(a) OF THE BANKRUPTCY CODE**

Upon the motion, dated January 10, 2014 (the “Motion”),¹ of Lehman Brothers Holdings Inc., as Plan Administrator for the entities in the above referenced chapter 11 cases (the “Debtors”), pursuant to section 105(a) of title 11 of the United States Code and Rule 4(m) of the Federal Rules of Civil Procedure, as incorporated and made applicable hereto by Rule 7004(a)(1) of the Federal Rules of Bankruptcy Procedure, to extend the stay for certain adversary proceedings, including the adversary proceeding entitled *Lehman Brothers Special Financing Inc. v. Bank of America National Association, et al.*, Adversary Proceeding No. 10-03547 (the “Distributed Action”) and other avoidance actions that may be commenced by the Plan

¹ Capitalized terms not otherwise defined herein shall have that meaning ascribed to them in the Motion.

Administrator; and the Court having entered the *Order Extending Stay of Avoidance Actions and Granting Certain Related Relief Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 7004(a)(1)* [Dkt. No. 42417] providing, among other things, that Defendants to the Distributed Action shall be required to answer or otherwise respond to the Complaint by either July 5, 2014, or as provided for in the Distributed Action Scheduling Order to be entered; and a hearing concerning the proposed Distributed Action Scheduling Order having been held on May 14, 2014; and upon the Declaration of Adam M. Bialek pursuant to Local Rule 9077-1(a), dated June 30, 2014 (the “Declaration”); and the Court having determined that the time within which the Defendants are required to answer or otherwise respond to the Distributed Action Complaint is extended until such time as set forth in the Distributed Action Scheduling Order to be entered by the Court; and it appearing that no notice of this Order to Show Cause need be given, except as provided herein; and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that, notwithstanding any prior Order of the Court, the time within which Defendants shall answer or otherwise respond to the Complaint in the Distributed Action shall be the later of September 2, 2014 or such time prescribed by the Distributed Action Scheduling Order to be entered by the Court; and it is further

ORDERD that the following paragraph set forth in the *Order Extending Stay of Avoidance Actions and Granting Certain Related Relief Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 7004(a)(1)* [Dkt. No. 42417], shall be deemed deleted with respect to the Distributed Action:

ORDERED that, except to the extent provided in, as applicable, the Distributed Action Scheduling Order or any scheduling order governing the Non-Distributed Actions or as otherwise agreed by the parties, each Avoidance Action Defendant shall be required to

answer or otherwise respond to any Avoidance Action complaint by the later of July 5, 2014, or, if such complaint is amended or further amended, 30 days after the date of the filing of any such amended complaint or further amended complaint, as applicable; *provided, however*, that if the Stay is lifted by (i) the Plan Administrator's filing and service of a notice of intention to prosecute an Avoidance Action or (ii) the Court's entry of an order modifying the Stay over an Avoidance Action, then the applicable Avoidance Action Defendant shall be required to answer or otherwise respond to the Avoidance Action complaint within 30 days after the date of, as applicable, service of a notice of intention to prosecute such Avoidance Action or the Court's order modifying the Stay over such Avoidance Action[;]

and it is further

ORDERED that notice of this Order to Show Cause shall be deemed proper if served, together with the Declaration, upon the Defendants via e-mail, first class mail, or overnight mail, on or before **July 2, 2014, at 11:59 p.m. (prevailing Eastern Standard Time)**.

Dated: June 30, 2014
New York, New York

/s/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE